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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/755,308	01/02/2001	Mizuho Tadokoro	JP920000027-US1	5016

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EXAMINER

WALLACE, SCOTT A

ART UNIT PAPER NUMBER

2671

DATE MAILED: 01/30/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/755,308

Applicant(s)

TADOKORO ET AL.

Examiner

Scott Wallace

Art Unit

2671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 5-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 5-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Response to Arguments

1. Applicant's arguments filed 11/13/03 have been fully considered but they are not persuasive. The applicant argues "The Corel reference does not teach or suggest that program messages be generated by automatically opening a text file which describes a character string for use in generating program messages for a user". Newly discovered reference because of amendment discloses these features as seen below.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-2 and 5-12 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. **Automatically** opening the text file. The automatic part is not described in the specification.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2, 5-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Thompson et al., U.S. Patent No. 5,644,775.

5. As per claim 1, Thompson et al discloses a method for displaying program messages (column 1 lines 20-25) on GUI environment (fig 2, graphical user interface) as text file character strings (column 2 lines 25-26) provided by a computer program (column 2 lines 23-34), comprising the steps of: a) providing an executable program (column 2 lines 23-34); b) providing a text file including descriptions of text file character strings (the examiner takes official notice that it is well known that text file for programs were written with remark statements that acted as descriptions of the character strings so other programmers could follow the logic) and being openable with said executable program (column 2 lines 23-34); c) executing said executable program (column 2 lines 23-34, starting a software application is executing an executable program); d) automatically opening the text file (column 2 lines 30-34) and retrieving said text file character strings from the executable program so that program messages can be generated as text file character strings (column 2 lines 23-34 and column 4 lines 40-45); and displaying messages as text file character strings included in the opened text file (column 1 lines 20-25 and column 2 lines 23-34 and column 4 lines 40-45).

6. As per claim 2, Thompson et al discloses wherein said text file further includes a search key (column 2 lines 23-34, string reader) and wherein said opening and displaying comprise the steps of: searching said search key (column 2 lines 23-34, string reader); retrieving the text file character strings in said text file when said search key enabled is detected in said searching (column 2 lines 23-34); displaying program messages in the retrieved text file character strings (column 1 lines 20-25 and column 2 lines 23-34); and displaying program messages in character strings embedded in said executable program when the search key disabled is detected in said searching (column 1 lines 20-25 and column 2 lines 23-34).

7. As per claims 5 and 7, Thompson et al discloses a method for creating a computer program enabling program messages (column 1 lines 20-25) to be displayed on GUI environment (fig 2, graphical user interface) as text file character strings (column 2 lines 23-34), including the steps of: describing a code for providing said GUI environment (fig 2 and abstract, since this is software for programs, this is code); describing a code for automatically opening a text file (column 2 lines 30-34) including said text file character strings (column 2 lines 23-34); and describing a code for displaying program message as

character strings as described in said opened text file (column 1 lines 20-25 and column 2 lines 23-34 and column 4 lines 40-45).

8. As per claims 6 and 8, Thompson et al discloses describing a default character string (column 2 lines 23-34, any string can be a default string) and wherein said describing a code for opening a text file and said describing a code for displaying program messages as character strings (column 2 lines 23-34 and column 1 lines 20-25 and column 4 lines 40-45) comprise the steps of: describing a code for searching a search key of a text file (column 2 lines 23-34, string reader) including a selected text file character string (column 2 lines 23-34); and describing a code for displaying said selected text file character string (column 1 lines 20-25 and column 2 lines 23-34) when said search key to enabled is detected and for displaying said default character string when said search key of said text file to be disabled is detected (column 2 lines 23-34).

9. As per claim 9, Thompson et al discloses a method for creating a computer program including control-related character strings (column 1 lines 20-25, program messages are control related), including the steps of: a) creating a text file describing said control-related text file character strings (column 2 lines 23-34); and b) creating a program file describing a code for automatically opening said text file to generate control related program messages as said text file character strings (column 2 lines 23-34).

10. As per claim 10, Thompson et al discloses wherein said creating a text file comprises creating a text file including a selected control-related text file character string (column 1 lines 20-25) and a search key (column 23-34, string reader); and wherein said creating a program file comprises creating a program file including a default character string (column 2 lines 23-34) and a code for automatically shifting control to said selected control-related text file character string when said search key to be enabled is detected and giving control to said default character string when said search key to be disabled is detected (column 2 lines 23-34).

11. As per claim 11, Thompson et al discloses a program storage device readable by machine tangibly embodying a program of instructions executable by the machine (abstract) to perform a method to generate at least one control-related text file character string related to computer control (column 1 lines 20-25 and fig 2), said method including the steps of: automatically opening a text file including said

at least one control-related text file character string (column 2 lines 23-34) to generate control related program messages as said text file character strings (column 1 lines 20-25); and using at least one character string described in said opened text file to control said computer (column 1 lines 20-25 and fig 2).

12. As per claim 12, Thompson et al discloses a default character string (column 2 lines 23-34, the original string is the default) and wherein said opening a text file comprises searching a search key of a text file (column 2 lines 23-34, string reader) including a selected control-related text file character string (string read); and wherein said using at least one character string comprises using said selected control-related text file character string to control said computer when said search key to be enabled is detected and using said default character string to control said computer when said search key to be disabled is detected (column 2 lines 23-34).

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Scott Wallace** whose telephone number is **703-605-5163**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mark Zimmerman**, can be reached at 703-305-9798.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



MARK ZIMMERMAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600